



U.S. Department of Justice

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January 13, 2023

The Honorable Stephanie A. Gallagher
United States District Judge
United States Courthouse
101 West Lombard Street
Baltimore, MD 21201

Re: *United States v. Mark R. Unkenholz*
Criminal No. 22-cr-00105-SAG
Status Report

Dear Judge Gallagher:

I write to provide a status report on the above-referenced case. To date, all defense counsel, paralegals and investigative assistants have received the necessary security clearances. The defendant has likewise been granted access to classified information for the purposes of preparing his defense. The defendant's computer forensics expert has not yet received his clearance.

The government provided unclassified discovery, including the unclassified versions of the thirteen (13) emails that are the subject of the charges and the report of interview of the defendant on the day of his arrest. Moreover, the government provided unredacted, classified emails to the defense for their storage and use in a Sensitive Compartmented Information Facility ("SCIF") designated for their use within the United States Courthouse.

The parties held a reverse proffer on November 15, 2022, in an FBI SCIF. Mr. Unkenholz was present at that meeting and was provided authorized access to Top Secret/SCI material. In addition to a review of the classified evidence and suspected offenses, the government informally tendered the parameters of a possible negotiated disposition of the case, which remains under consideration by the defense.


Because the defendant needs the services of his computer forensic expert, as well as additional classified discovery, additional time is needed. The parties propose another status report to the court in ninety (90) days. Obviously, if developments truncate the need for additional time the parties will alert the court immediately.

Please contact me if you have any questions or need additional information at this time. If the proposed status report not later than April 14, 2023, is acceptable, please execute the below marginal order.

Respectfully submitted,

Erek L. Barron
United States Attorney

By:


P. Michael Cunningham
Assistant United States Attorney

cc: James Wyda, Esquire (via CM ECF)
Shari Derrow, Esquire (via CM ECF)
Kathleen Gavin, AUSA (via email)
S. Derek Shugert, DOJ NSD (via email)

ORDER

The above status report is accepted. The parties are ORDERED to provide another status report not later than April 14, 2023.

Stephanie A. Gallagher
United States District Judge